



05-17-04 #14 \$PA/A

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**PETITION TO REVIVE UNDER 37 C.F.R. §
1.137(b)**

Docket Number:
10537/96

Confirmation No.:
1822

Application Number
09/832,637

Filing Date
April 11, 2001

Examiner
KYLE, Michael J.

Art Unit
3676

Invention Title
BRUSH SEAL

Inventor(s)
GAIL et al.

Address to:
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAY 19 2004

OFFICE OF PETITIONS

Sir:

Applicants hereby petition to revive the above-identified patent application under 37 C.F.R. § 1.137(b). The application became unintentionally abandoned for failure to timely respond to the Office Action mailed on November 6, 2003.

The reply to the Office Action dated November 6, 2003 in the form of a Response is enclosed herewith.

Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

A favorable decision on this Petition and the reinstatement of this application is respectfully requested.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.17(m) fee for this Petition to Revive Under 37 C.F.R. § 1.137(b), in the amount of **\$1,330.00**, as well as any additional fees that may be required in connection with this petition or the enclosed

05/19/2004 AWONDAF1 00000013 110600 09832637

01 FC:1453 1330.00 DA

NY01 692083 v 1

Express Mail No. EV 332464595 US



Response, including any extension fees which may be required under 37 C.F.R. §1.136(a), to the Deposit Account of Kenyon & Kenyon, Deposit Account No. 11-0600. The Commissioner is hereby requested to credit any overpayment in connection with the papers transmitted herewith to the Deposit Account of Kenyon & Kenyon, Deposit Account No. 11-0600. A duplicate copy of this paper is enclosed for charging purposes.

Dated: *May 13, 2004*

By:

R. L. Mayer by Clerk
Richard L. Mayer (Reg. No. 22,490)

KENYON & KENYON
One Broadway
New York, N.Y. 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)

*B, No.
42,194*